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6

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 In re:) CASE NO.: 3:11-CV-00074-LRH-VPC
10 RALPH STEPHEN COPPOLA)
11 Plaintiff,) **PLAINTIFF'S MOTION TO**
12) **DISMISS CERTAIN OF HIS**
13 vs:) **CAUSES OF ACTION**
14 DARREN K. PROULX, LAND RESOURCE)
15 INVESTMENTS, INC., LAND RESOURCE)
16 MANAGEMENT, INC., and MARINA)
17 COMMERCIAL OFFICES, LLC.)
18 Defendants)
19

20 COMES NOW PLAINTIFF, above named, by counsel, who, pursuant to this Court's
21 September 19, 2011 Minute Order,¹ moves to dismiss the following causes of action, without
22 prejudice to his right to move to amend his complaint as provided in the Second Amended Joint
23 Case Management Report:

24 All claims against Does are dismissed for the reason that Doe pleading is not permitted.

25 ¹Paragraph 5 of this Court's order of September 19, 2011 provides, in pertinent part:

26 Mr. White shall have until Friday, September 30, 2011 to file a stipulation or
27 motion to dismiss indicating which claims shall be dismissed from plaintiff's
complaint.

1 All references to more than one plaintiff are deleted for the reason that there is only one
 2 Plaintiff in this Case at this time, Ralph Stephen Coppola.
 3

4 All references to class action are deleted for the reason that this is not a class action.
 5

6 The following Causes of Action in Plaintiff's First Amended Complaint are dismissed,
 7 without prejudice to any right Plaintiff may have to delete or add additional causes of action at
 8 the time he files his Motion to Amend Complaint¹.
 9

10 Causes of Action to be dismissed:
 11

12 Third (CA Sale of Unexempted Stock)
 13

14 Fourth (CA Failure to File Securities Advertisements)
 15

16 Fifth (CA False Securities Advertising)
 17

18 Sixth (CA Failure to File Real Estate Advertisements)
 19

20 Seventh (CA False Real Estate Advertisements)
 21

22 Ninth (Fraud and Negligent Misrepresentation) (Interest Sale)
 23

24 Tenth (Fraud and Intentional Misrepresentation) (Final Map)
 25

26 Eleventh (Fraud and Negligent Misrepresentation) (Final Map)
 27

28 Fifteenth (Breach of Written and Oral Agreements) (Land Sales)
 29

30 Sixteenth (Covenant of Good Faith and Fair Dealing)(Land Sales)
 31

32 Seventeenth (Broker Fraud)
 33

34 Twenty (Fraud and Negligent Misrepresentation) (Against Proulx)
 35

36 Twenty Fourth (Bribery)
 37

38 Thirtieth (Negligent Infliction of Emotional Distress)
 39

40 Thirty Second (Violations of ADA)
 41

42 Thirty Fifth (Negligent Interference with Prospective Economic Advantage)
 43

27 ¹The parties stipulate, subject to court approval, that Plaintiff may have until October 14, 2011 to file a
 28 motion to amend. See the parties' September 30, 2011 Second Joint Case Management Report,
 29 paragraph 12(B).

Thirty Six (Violation of Unruh Act)

Thirty Seven (Employment Discrimination)

Thirty Eight (Religious Affiliation)

Thirty Ninth (Breach of Real Estate Contract)

Fourtieth (Slander)

Forty Second (Libel)

Respectfully Submitted this 30th day of September, 2011.

~~John White, Esq.~~

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September, 2011, I served the foregoing **PLAINTIFF'S**
MOTION TO DISMISS CERTAIN OF HIS CAUSES OF ACTION in the following
manner:

a. Via the Court's CM/ECF filing system to all parties registered therein, and,

b. By depositing a true and correct copy of the above-entitled document into the US Mail, Postage prepaid, addressed to:

Robert A. Koenig Ryan Kerbow Alessi & Koenig, LLC 9500 W. Flamigo, Suite 205 Las Vegas, NV 89147	Edith Agustin 402 Devonshire St. Vallejo, CA 94591	Ramses Agustin 12374 Carmel Country Rd#308 San Diego, CA 92130
Thomas James Bayard Alessi & Bayard 556 N. Diamond Bar Blvd. Ste. 300 Diamond Bar, CA 91765	Imelda & Joseph Ibanez 318 Clydesdale Dr. Vallejo, CA 94591	Fe & Gerard Astrero PO Box 25354 San Mateo, CA 94402-5354
Menchie Eugenio 429 Bettona Way American Canyon, CA 94503	Katrina Lumas 318 Clydesdale Dr. Vallejo, CA 94591	Belen Lumas 318 Clydesdale Dr. Vallejo, CA 94591
	Flora Figueras 318 Clydesdale Dr. Vallejo, CA 94591	

Signed this 30th day of September, 2011.

/s/
John White, Employee,
White Law Chartered